



12/10/03

MESSAGE FROM THE HOUSE

SB 805 (Birkholz)

SB 805 allows for \$75 million of Clean Michigan Initiative money to be used for loans and grants to local units of government and brownfield redevelopment authorities. The money would be allocated half and half with \$37.5 million to loans and \$37.5 million to grants. This bill is the same as HB 5270.

- The Senate concurred with the House changes to SB 805 [RC 585: 37 yes, 0 no]. The bill was given Immediate Effect.

FINAL PASSAGE

SB 220 (Garcia)
SB 657 (Brown)
SB 792 (Bishop)
SB 797 (George)
SB 793 (Van Woerkom)
SB 794 (Toy)
SB 795 (Cassis)
SB 798 (Sanborn)
SB 803 (Cropsey)

IDENTITY THEFT PACKAGE

Senate Bill 220 would increase consumer protection by eliminating credit card numbers from receipts.

- SB 220 passed [RC 594: 38 yes, 0 no].

Senate Bill 657 would prohibit an entity from requiring a consumer to disclose his or her Social Security Number as a condition of selling goods or providing a service to a customer, unless the transaction includes an extension of credit to the consumer.

- SB 657 passed [RC 592: 38 yes, 0 no].

Senate Bill 792 would create the Identity Theft Protection Act which would: 1) define "Identity Theft" as any unauthorized use of another person's personal identifying information to obtain credit, goods, services, money,

property or employment or to commit any illegal act; 2) specify that it would be a 5 year felony if a person commits identity theft or obtains or attempts to obtain personal identifying information of another person with intent to use that information to commit identity theft or another illegal act; 3) specify that a person shall not deny credit to a consumer solely because the consumer was a victim of identity theft.

- Bishop 1 (6 amends) was adopted [no RC].
- SB 792 passed [RC 586: 37 yes, 0 no].

Senate Bill 797 would include in the sentencing guidelines a violation of the proposed “Identity Theft Protection Act”, which Senate Bill 792 would create.

- SB 797 passed [RC 587: 37 yes, 0 no].

Senate Bill 793 would amend current court jurisdiction procedures to allow a violation of the Identity Theft Protection Act to be prosecuted in one of the following jurisdictions. 1) where the offense occurred; 2) where the information used to commit the violation was illegally used; or 3) where the victim resides.

- SB 793 passed [RC 588: 38 yes, 0 no].

Senate Bill 794 would provide that a victim of identity theft may apply to the county prosecutor or to the attorney general for a “certificate” stating that he or she is a victim of identity theft.

- SB 794 passed [RC 589: 38 yes, 0 no].

Senate Bill 795 would specify that a person shall not disclose to a third party or publicly display all or any part of the Social Security Number of an employee, student, or other individual unless the individual consents to the disclosure in writing or the disclosure is authorized by law. A person who violates this act is responsible for a \$1,000.00 civil fine, and also a criminal penalty of a 93 day misdemeanor and/or a \$1,000 fine.

- Cassis 1 (7 amends) was adopted [no RC]. Technical changes inadvertently left out of the bill.
- SB 795 passed [RC 590: 38 yes, 0 no].

Senate Bill 798 prohibit an entity from denying credit to or reducing the credit limit of a consumer because the consumer was a victim of Identity Theft.

- SB 798 passed [RC 591: 38 yes, 0 no].

Senate Bill 803 would provide that an indictment for Identity Theft would have a 6 year statute of limitations after the offense is committed. If the suspect is unidentified, the 6 year statute of limitations begins once the suspect is identified. This provision is similar to the language in recently passed legislation dealing with DNA evidence.

- SB 803 passed [RC 593: 38 yes, 0 no].

SB 842-43 (Stamas/Gilbert)

Senate Bills 842 would prohibit, and prescribe penalties for, the possession, use, sale, or purchase of a signal preemption device.

- Brater 1 (5 amends) was defeated [no RC]. This would lower the penalty from a possible \$10,000 fine to a \$2,500 fine.
- SB 842 passed [RC 597: 34 yes, 2 no].

Senate Bill 843 would define “signal preemption device” as a device that was capable of changing a traffic control signal to green out of sequence.

- SB 843 passed [RC 597: 33 yes, 4 no].

SB 852 (EMERSON)

Senate Bill 852 is part of the budget deal. It provides for a six-month freeze in the scheduled rollback of the income tax. The reduction from 4.0 to 3.9 percent will now be effective six months later. This will raise an estimated \$77 million this year. This money will be used to fund K-12 education.

- Committee 1 (S-3) was adopted [no RC].
- SB 852 was moved to 3rd Reading.
- SB 852 passed with Immediate Effect [RC 599: 24 yes, 14 no].

HB 5089 (Acciavatti)

HB 5173 (Acciavatti)

House Bill 5089 changes current law to: 1) specifically define a work zone, 2) make it illegal to use a mobile infrared transmitter device, and 3) change the speed limit definition in work zones. Under the bill a work zone is defined as any of the following: A) Being between a “work zone begins” sign and an “end road work” sign; B) For a moving work crew with more than 1 vehicle, between the “begin work convoy” sign and an “end work convoy” sign; C) For a stationary work crew with 1 vehicle that exhibits a rotating strobe light or beacon is 150 feet behind and 150 in front of the vehicle that is emitting the strobe or beacon light.

- HB 5089 passed with IE [RC 596: 38 yes, 0 no].

House Bill 5173 changes construction zone to work zone and SIGNIFIGANTLY lower the threshold for which a person can be convicted of injuring or killing a worker in a “work zone”.

- Leland 1 (4 amends) was defeated [no RC]. This would raise the threshold under which a person can be convicted of injuring or killing a worker in a “work zone” from 3 points to 4 points. Leland: The State Police support this amendment.
- HB 5173 passed with IE [RC 595: 31 yes, 7 no].